



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
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WASHINGTON, DC 20231
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MAY 24 2004

In re Application of
MARCY E. ARMSTRONG et al
Serial No. 09/835,699
Filed: 04/16/2001
For: POLYNUCLEOTIDE HERPES VIRUS
VACCINE

:
: NOTICE OF WITHDRAWAL
: FROM ISSUE
: UNDER 37 CFR 1.313(b)

The above-identified application is hereby withdrawn from issue due to unpatentability of one or more claims. See 37 CFR 1.313(b)(3).

The issue fee is refundable upon written request. If, however, the application is again found allowable, the issue fee can be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due upon written request. This request and any balance due must be received on or before the due date noted in the new Notice of Allowance in order to prevent abandonment of the application.

Telephone inquiries should be directed to James Martinell at (571) 272-0719.

The above-identified application is being forwarded to the examiner for prompt appropriate action, including notifying applicant of the new status of this application.

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